

ORIGINAL

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FILED

07 JUL -8 PM 12:02


LANCE S. WILSON
CLERK

BY  DEPUTY

THOMAS A. DILLON, Independent
Fiduciary of Employers Mutual Plans

**RESPONSE TO SUMMONS
IN A CIVIL ACTION**

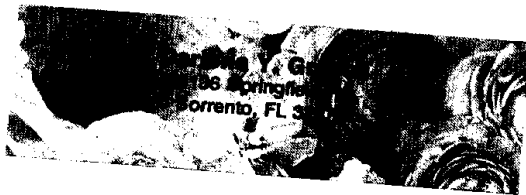
v.

 VC-N-03-0119-HDM-VPC

JAMES GRAF, et al.

Darlene Graves
35136 Springfield Road
Sorrento, FL 32776-9583

ATTENTION:
Clerk of the Court United States District of Nevada



CV-N-03-0119 HDM-VPC

RETURN

ANSWER:

- I NATURE OF THE ACTION**
Paragraph 1-4 an unknown and therefore DENIED
- II JURISDICTION AND VENUE**
Paragraph 5-6 an unknown and therefore DENIED
- III PARTIES**
Paragraph 7-24 an unknown and therefore DENIED
- IV AGENCY AND INFORMATION ALLEGATIONS**
Paragraph 25 -27 an unknown and therefore DENIED
- V GENERAL FACTUAL ALLEGATIONS**
Paragraph 28-54 an unknown and therefore DENIED
Paragraph 55(a) in reference to "seasoning" I became an insurance agent in December 2001. I became effective w/ Employers Mutual February 2001. I relied on the Producer known as Bill Starling of STARLING & ASSOCIATES who in fact was "SEASONED" to provide me with accurate and current information regarding Employers Mutual. and that the information I requested of Bill Starling was that Employers Mutual was underwritten by Golden Rule.
Paragraph 55(b) I was an independent agent under the direction of Bill Starling from Starling & Associates.
Paragraph 55(c) I reviewed and consulted with Bill Starling in reference to the plans offered by Employers Mutual and understood them to be ERISA plans.
Paragraph 55(d-f) an unknown and therefore DENIED
Paragraph 55(g) I was no longer associated with Employers Mutual, Bill Starling and any of his associates after AUGUST 2001
Paragraph 56-57 an unknown and therefore DENIED
- VI FIRST CLAIM FOR RELIEF**
Paragraph 58 -66 an unknown and therefore DENIED
- VII SECOND CLAIM FOR RELIEF**
Paragraph 67-70 an unknown and therefore DENIED
- VII THIRD CLAIM FOR RELIEF**
Paragraph 71-72 an unknown and therefore DENIED
- IX FOURTH CLAIM FOR RELIEF**
Paragraph 74-79 an unknown and therefore DENIED
- X FIFTH CLAIM FOR RELIEF**
Paragraph 80-83 an unknown and therefore DENIED
- XII SIXTH CLAIM FOR RELIEF**
Paragraph 84-87 an unknown and therefore DENIED

**VERIFIED MOTION TO DISMISS COMPLAINT ON BASIS OF JURISDICTION &
MOTION TO QUASH SERVICE OF PROCESS**

I, Darlene Graves, request the relief as indicated above and would state:

- 1.) I am not a lawyer and represent myself.
- 2.) **I was not served personally with the summons herein, my underage daughter signed for the pleading.**
- 3.) I live in Florida and have never been a resident of the state of Nevada, nor have visited there, nor conducted any business in Nevada.
- 4.) **I have received no commissions for sale of any products as described in the complaint.**

Wherefore, I request a ruling that service has not been properly perfected and/or undersigned is not properly before a Nevada District Court.

Signed: *Darlene Graves* Date: 7/3/03
6612-879-65-521-7

Notarized: *Scott Warner* Date: 03 July 2003

Certified to:
Robert L. Brace Esq.
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Clerk of the Court United States District
Court, District of Nevada

